

(b) (6) CTR OPNAV

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**From:** (b) (6) LCDR OLA, LA-64 <(b) (6) .mil>  
**Sent:** Tuesday, May 15, 2018 8:23 AM  
**To:** (b) (6) LCDR OLA, LA-62  
**Cc:** (b) (6) LCDR OLA, LA-64  
**Subject:** RE: DOD Briefing to Sen Murray's Staff Week of 14 May on Juvenile Misconduct on Military Installations  
**Attachments:** Murray Letter - Child Misconduct.pdf

(b) (6)

That would be great! Briefing to Sen. Murray staff is tentatively scheduled for 1400 on Friday on the Hill. The genesis of this engagement is an AP article on child-child sexual misconduct on military installations.

[https://www.washingtonpost.com/national/ap-child-on-child-sex-assault-cases-languish-on-us-bases/2018/03/13/9811f628-272b-11e8-a227-fd2b009466bc\\_story.html?utm\\_term=.9ef1db7be9e9](https://www.washingtonpost.com/national/ap-child-on-child-sex-assault-cases-languish-on-us-bases/2018/03/13/9811f628-272b-11e8-a227-fd2b009466bc_story.html?utm_term=.9ef1db7be9e9)

This prompted Sen Murray to write a letter to the Dept, attached. I just received confirmation that the scope of the briefing will include discussion of the questions in the attached letter from Sen. Murray. Please ask (b) (6) whether/which questions fall in FAP lanes so we can assess whether a FAP briefer may be needed at either the prep session (for sync purposes) or the briefing or both.

Thanks!

V/r

(b) (6)

-----Original Message-----

**From:** (b) (6) LCDR OLA, LA-62  
**Sent:** Tuesday, May 15, 2018 8:15 AM  
**To:** (b) (6) LCDR OLA, LA-64 <(b) (6) .mil>  
**Subject:** RE: DOD Briefing to Sen Murray's Staff Week of 14 May on Juvenile Misconduct on Military Installations

Got it, thanks! FAP POCs are usually tight-knit across the Services, okay if I share with my ASN(M&RA) FAP POC (b) (6) to let her know we're tracking it? I will copy you on the email.

V/r,

(b) (6)

-----Original Message-----

**From:** (b) (6) LCDR OLA, LA-64  
**Sent:** Tuesday, May 15, 2018 8:09 AM  
**To:** (b) (6) LCDR OLA, LA-62 <(b) (6) .mil>  
**Cc:** (b) (6) LCDR OLA, LA-64 <(b) (6) .mil>  
**Subject:** FW: DOD Briefing to Sen Murray's Staff Week of 14 May on Juvenile Misconduct on Military Installations

(b) (6)

FYSA, Army might bring a FAP person to the OSD-led Sen. Murray staff briefing tentatively scheduled for Friday afternoon. This is NOT what OSD has requested, but I wanted to keep you in the loop for SA. I am bringing a judge advocate (as OSD requested) and I see a possibility that NCIS will be needed, but law enforcement has not been requested yet.

Vr/

(b) (6)

-----Original Message-----

From: (b) (6) LTC USARMY HQDA OCLL (US) [mailto:(b) (6)@mil]

Sent: Monday, May 14, 2018 5:11 PM

To: (b) (6) LCDR OLA, LA-64 <(b) (6)@mil>

Cc: (b) (6) LtCol USMC OSD PA (US) <(b) (6)@mil>; (b) (6) Lt Col USAF SAF-LL (US) <(b) (6)@mil>

Subject: Re: DOD Briefing to Sen Murray's Staff Week of 14 May on Juvenile Misconduct on Military Installations

I think we will send Guy Surian from CID, (b) (6) from OTJAG, and probably someone from Army FAP if there is room.

I haven't coordinated with (b) (6) yet, though.

V/r

(b) (6)

Legislative Counsel

Office of the Chief, Legislative Liaison

US Army Pentagon, (b) (6)

(O) 703-697-0275

(C) (b) (6)

> On May 14, 2018, at 4:31 PM, Senay, Lisa M LCDR OLA, LA-64 <lisa.senay1@navy.mil> wrote:

>

> Hello, Dream Team!

>

> Would you mind sharing the names of your judge advocate briefers for the Sen. Murray engagement? This will be CAPT Monahan's first engagement so I was hoping he may be able to coordinate with his counterparts ahead of the prep session/engagement. Thanks!

>

> Vr/

> (b) (6)

>

> LCDR (b) (6), JAGC, USN

> Legislative Counsel

> Office of Legislative Affairs

> 1300 Navy Pentagon, Room (b) (6)

> Washington, DC 20350-1300

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> -----Original Message-----

> From: (b) (6) LCDR OLA, LA-64  
> Sent: Monday, May 14, 2018 4:21 PM  
> To: (b) (6) Jr CIV OSD OGC (US) <(b) (6).mil>; (b) (6) COL USARMY HQDA OCLL (US) (b) (6).mil>; (b) (6) LtCol USMC OSD PA (US) (b) (6).mil>; (b) (6) Lt Col USAF SAF-LL (US) <(b) (6).mil>; (b) (6) LTC USARMY HQDA OCLL (US) (b) (6).mil>; (b) (6) COL USARMY OSD OUSD C (US) (b) (6).mil>; Milam, Megan A SES OSD OUSD C (US) (b) (6).mil>  
> Cc: Sullivan, Dwight H SES OSD OGC (US) <(b) (6).mil>; (b) (6) CIV OSD OGC (US) (b) (6).mil>; (b) (6) Maj USAF OSD OGC (US) (b) (6).mil>; (b) (6) CIV OSD OUSD P-R (US) <(b) (6).mil>; Richards, Edward I SES OSD OGC (US) <(b) (6).mil>; McAleer, Laura P SES OSD OASD LA (US) <(b) (6).mil>; (b) (6) LCDR OLA, LA-64 <(b) (6).mil>; (b) (6) CDR OLA, LA-63 (b) (6).mil>

> Subject: RE: DOD Briefing to Sen Murray's Staff Week of 14 May on Juvenile Misconduct on Military Installations

>

> Mr. (b) (6)

>

> The Navy Judge Advocate SME briefer will be CAPT Rob Monahan (OJAG Code 20, Criminal Law). He just relieved CAPT Art Record.

>

> Standing by for date/time of the prep session and briefing, and any additional details on scope or expectations that you or COL Waldron may be able to pass. Thanks!

>

> Vr/

> (b) (6)

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> -----Original Message-----

> From: (b) (6) Jr CIV OSD OGC (US) [mailto:(b) (6).mil]

> Sent: Friday, May 11, 2018 12:56 PM

> To: (b) (6) COL USARMY HQDA OCLL (US) <(b) (6).mil>; (b) (6) LtCol USMC OSD PA (US) <(b) (6).mil>; (b) (6) LCDR OLA, LA-64 (b) (6).mil>; (b) (6) Lt Col USAF SAF-LL (US) <(b) (6).mil>; (b) (6) LTC USARMY HQDA OCLL (US)

(b) (6) .mil>; Waldron, David A COL USARMY OSD OUSD C (US) <(b) (6) .mil>; Milam, Megan A SES OSD OUSD C (US) <(b) (6) .mil>; (b) (6) CDR OLA, LA-63 (b) (6) .mil>

> Cc: Sullivan, Dwight H SES OSD OGC (US) <(b) (6) .mil>; (b) (6) CIV OSD OGC (US) (b) (6) .mil>; (b) (6) Maj USAF OSD OGC (US) (b) (6) .mil>; (b) (6) CIV OSD OASD LA (US) (b) (6) .mil>; (b) (6) CIV OSD OUSD P-R (US) (b) (6) .mil>; Richards, Edward I SES OSD OGC (US) <(b) (6) .mil>; McAleer, Laura P SES OSD OASD LA (US) (b) (6) .mil>

> Subject: DOD Briefing to Sen Murray's Staff Week of 14 May on Juvenile Misconduct on Military Installations

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> (b) (6)

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> 1. Wanted to ensure you were tracking a briefing request to Sen Murray staff on issues wrt juvenile justice as a result in the Senator's inquiries in a letter and questions from her to SECDEF in this week's SAC-D Hearing.

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> 2. My understanding is that DoD OGC will be sending representatives and service reps to meet next week with Congressional staffers from Sen Murray's office on the matter of juvenile justice. My understanding is this Hill engagement will be in place of a formal letter response back to Sen Murray.

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> 3. Requesting if your respective TJAG offices could send a representative to accompany reps from the DoD Office of General Counsel (believe DOD GC reps would be Dwight Sullivan and (b) (6) ), and reps from the Office of the Under Secretary of Defense for Personnel and Readiness. Briefing will again be to Senator Patty Murray's staff on same matters relating to juvenile misconduct on military installations.

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> 4. The date and time of the meeting has not yet been set, but Colonel Dave Waldron in BAA is working the details.

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> 5. Major (b) (6) in OGC put out more information below on topic:

>

> The Department has recently received many inquiries from members of Congress relating to matters of juvenile misconduct on military installations, prompted in part by Associated Press articles (e.g., <https://www.military.com/daily-news/2018/03/13/us-military-overlooks-sex-abuse-among-kids-investigation-finds.html>) describing perceived problems with the Department's response to incidents of juvenile misconduct. These inquiries have included specific questions related to the DoD's role in prosecuting juveniles. Attached is a question from Representative John Carter characteristic of those the Department has received, and the Department's coordinated response. As this document reveals, the concerns of Representative Carter, shared by other members of Congress, lie in wanting to understand who prosecutes juveniles for misconduct committed on military installations, how that prosecution is accomplished, and barriers that exist to ensuring that juveniles are appropriately held accountable for their actions, particularly for the commission of serious offenses such as sexual assault. In an effort to better understand these and related issues, some members of Congress have requested briefings by Department staff. In a similar vein, Congress has also asked for views on proposed legislation that would require the Military Services to enter into MOUs with State and local officials at the installation level concerning the prosecution of such offenses.

>

> 6. Reps from the DOD OGC and the respective Service Judge Advocates are needed at this briefing, alongside P&R reps given the roles Staff Judge Advocates play a key role at the installation level in interacting with civilian Federal, State, and local officials to coordinate appropriate judicial outcomes for juveniles accused of misconduct.

>

> 7. My understanding is a tentative prep session of the briefers is planned for some time next week prior to the actual briefing, so defer to Dave Waldron on further guidance on prep session and actual briefing. At this point just need names of respective Judge Advocate briefers from each service who would participate alongside DOD OGC and OSD P&R briefers.

>

> Break// Dave Waldron over to you for further guidance....

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> VR (b) (6)

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> (b) (6)

> Acting Deputy, Office of Legislative Counsel

> Office of the DOD General Counsel

> (b) (6)

> (b) (6)

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